

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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|------------------------|---|----------------------------|
| DALE LYNN FERRIS, | : | |
| Plaintiff | : | |
| | : | |
| vs. | : | CIVIL NO. 1:CV-07-0501 |
| MICHAEL J. ASTRUE, | : | (Judge Caldwell) |
| Commissioner of Social | : | |
| Security, | : | (Magistrate Judge Mannion) |
| Defendant | | |

O R D E R

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

Plaintiff, Dale Lynn Ferris, filed this appeal under 42 U.S.C. § 405(g) seeking review of the decision of defendant, Michael J. Astrue, the Commissioner of Social Security, denying his application for supplemental security income (SSI) under the Social Security Act. *See* 42 U.S.C. §§ 1381-1383f. Plaintiff seeks SSI benefits on the basis of disability arising from depression and a seizure disorder.

We are considering Plaintiff's objections to the report and recommendation of the magistrate judge, which recommends that we deny the appeal. We have reviewed the parties' briefs on appeal; Plaintiff's objections and Defendant's response thereto; and the record. We conclude that the administrative law judge's

conclusion that Plaintiff is not disabled is supported by substantial evidence. We will therefore deny the appeal.

Accordingly, this 14th day of February, 2008, upon consideration of the magistrate judge's report (doc. 11), dated November 21, 2007, the objections thereto (doc. 12), and independent review of the record, it is ordered that:

1. Plaintiff's appeal is denied.
2. The Clerk of Court shall close this file.

/s/William W. Caldwell
William W. Caldwell
United States District Judge